

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Section 73.202(b))	
Table of Allotments,)	MB Docket No. 12-115
FM Broadcast Stations.)	
(Saint Paul, Arkansas; Crystal Falls, Michigan;)	
Alberton, Montana; and Waitsburg, Washington))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: July 5, 2012

Released: July 6, 2012

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it the *Notice*,¹ proposing the deletion of four vacant allotments in various communities in Arkansas, Michigan, Montana, and Washington. No comments were received. For the reasons discussed below, we are deleting from the FM Table of Allotments four vacant allotments in Saint Paul, Arkansas, Crystal Falls, Michigan, Alberton, Montana, and Waitsburg, Washington.

2. **Background.** The Audio Division, on its own motion, proposed the deletion of Channel 287A at Saint Paul, Arkansas, Channel 280C2 at Crystal Falls, Michigan, Channel 288C3 at Alberton, Montana, and Channel 272A at Waitsburg, Washington. Each of these four vacant allotments has been offered in two or more FM auctions, and was deemed an unsold permit in Auction 93 because no bid was entered. The *Notice* stated that interested parties must file comments, expressing an interest in the vacant allotments to prevent their removal. No such comments were received.

3. **Discussion.** The Commission’s policy is not to delete an FM allotment where a *bona fide* expression of interest exists, absent a compelling reason to do so.² Accordingly, we are deleting these four allotments because there were no *bona fide* expressions of interests filed. Deletion of these allotments may create other opportunities in nearby communities for new FM allotments or upgrades of existing stations. Therefore, we conclude that the deletion of these vacant allotments could promote a more effective and efficient use of the FM broadcast spectrum.

4. **Ordering clauses.** Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED That effective August 20, 2012, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED, with respect to the community listed below, to read as follows:

¹ *Saint Paul, Arkansas*, et al., Notice of Proposed Rule Making, 27 FCC Rcd 4359 (MB 2012)(“*Notice*”).

² *See, e.g., Montrose and Scranton Pennsylvania*, Memorandum Opinion and Order, 5 FCC Rcd 6305, 6306 (1990) (denying request to delete an allotment because interest had been expressed in its retention).

<u>Community</u>	<u>Channel</u>
Saint Paul, Arkansas	-----
Crystal Falls, Michigan	-----
Alberton, Montana	-----
Waitsburg, Washington	-----

5. The Commission will not send a copy of this *Report and Order* pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A), because the adopted rules are rules of particular applicability.

6. For further information regarding a proceeding listed above, contact Rolanda F. Smith (202) 418-2700.

7. Accordingly, IT IS ORDERED, That this proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Nazifa Sawez
Assistant Chief
Audio Division
Media Bureau